

REMARKS

At the outset, applicants and the undersigned wish to thank Examiner Helen Pezzuto for the courtesy of her time to discuss the office action and claim amendments that may facilitate prosecution of this application on March 12, 2007.

The applicants herein submit a formal response to the office action mailed on January 22, 2007. In the office action, the Examiner indicated that a complete reply to the office action must include cancellation of non-elected claims 16-18 or other appropriate action. The Examiner also maintained the obviousness rejection under 35 U.S.C. §103(a) over Yamagishi et al. (U.S. patent 6,408,913) or JP-05-306208. Each of the above issues is addressed separately below. In view of the claim amendments noted above and the remarks below, applicants respectfully request reconsideration of the merits of this patent application.

No extension of time is believed to be necessary and no fee is believed to be due in connection with this response. However, if any extension of time is required in this or any subsequent response, please consider this to be a petition for the appropriate extension and a request to charge the petition fee to Deposit Account No. 17-0055. No other fee is believed to be due in connection with this response. However, if any fee is due in this or any subsequent response, please charge the fee to the same Deposit Account No. 17-0055.

Claim amendments

Claims 14, 16-18, and 25-27 are newly canceled and claims 13, 21-24, and 28-30 are amended to facilitate prosecution. Applicants reserve the right to pursue the canceled subject matter in a continuation application. As amended, claims 13, 21-24, and 28-30 are now limited to a denture base made of a co-polymer recited therein having the specific monomer ratio of 80 to 20 or higher and the specific flexural strength of 62.44 MPa or higher.

Election/Restrictions

The Examiner indicated that claims 16-18 are drawn to non-elected invention and a complete reply to the office action must include cancellation of non-elected claims. While not agreeing with the Examiner, claims 16-18 are canceled to facilitate prosecution.

Obviousness rejection under 35 U.S.C. §103(a)

The Examiner rejected claims 13, 14, and 21-30 under 35 U.S.C. §103(a) as being obvious over Yamagishi et al. (U.S. patent 6,408,913) or JP-05-306208.

Applicants had argued in the previous response that the above two prior art references are concerned with materials used to repair missing tooth structure and mention nothing about denture, much less any incentive to coat denture with the materials disclosed therein. Applicants further argued, citing *In re Lee* (277 F.3d 1338, 1344-1345 (Fed. Cir. 2002)), that a mere conclusory statement that the invention is obvious over a prior art reference does not fulfill the U.S. Patent and Trademark Office's obligation to explain all material facts in order to establish a *prima facie* case of obviousness. Applicants further explained why a skilled artisan would not have used the materials disclosed by the prior art references to coat or make a denture. In particular, applicants explained that the requirements for denture materials (e.g., flexural strength) are different from tooth repairing materials and, therefore, it is not obvious from the cited references the tooth repairing materials disclosed therein would be suitable for making a denture.

In response to applicants' arguments, the Examiner pointed out that there is no specific limitation in the body of the present claims which specify the environment and structure of the denture, denture base, denture liner or tissue conditioner recited in the preamble. To address the Examiner's concern and to facilitate prosecution, applicants have canceled claim 14 and amended claim 13 to direct at a denture base only, which is well known in the art as the part of a denture that rests on the foundation tissue in the mouth (e.g., mucosa) and to which artificial/fake teeth are attached. Applicants further specify in the body of amended claim 13 that the copolymer of which the denture is made has a monomer ratio of 80 to 20 or higher and provides a flexural strength of 62.44 MPa or higher. Said monomer ratio and flexural strength are supported by Table 1 of Example 5 in the specification. Example 5 describes the experiments that the inventors conducted to find that the copolymer, when made with the specified monomer ratio, is suitable for making a denture base.

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Reply to Office Action of January 22, 2007

Having addressed each issue raised by the Examiner by claim amendments, claims 13, 21-24, and 28-30 are believed to be in condition for allowance and a Notice of Allowance is respectfully requested. Should any issues remain outstanding, the Examiner is invited to contact the undersigned at the telephone number appearing below if such would advance the prosecution of this application.

Respectfully submitted,



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